

Darnell Lyndon Gardner Sr.  
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Dear House Judiciary Committee:

Purpose:

I am here today to advocate on behalf of House Bill #4106. I would like to explain how the misuse and manipulation of current Family and Domestic law has affected my life both personally and professionally.

My Background:

Enlisted in The U.S. Army during my senior year in High School and upon graduation I immediately shipped out for basic training. After discharge I was steadily employed for 25 years while pursuing a degree from Wayne State University. During this period I was married, divorced and fathered three children.

After divorce I paid child support according to the standards set by Michigan law. Due to the economic down turn in 2005 my employment became erratic and intermittent. As a career salesperson, my income always fluctuated so I assumed it would get back on track. After a series of jobs between Detroit and Chicago with steadily diminishing income I found myself behind in child support by more than \$10,000.

The Felony:

In 2009 I was arrested and prosecuted while unemployed under the Michigan Felony Non Support law. This took place after paying over \$162,000 through the Wayne County Friend of the Court. I am not an opponent of this law but I strongly disagree with the State's disparate and arbitrary application of it. Many parents are behind by hundred's of thousands of dollars and go unprosecuted by the state. While any custodial parent can ***felony*** prosecute another parent behind by more than \$10,001 by merely making a phone call. The State of Michigan without any concern for payment history, employment circumstances or consideration of County Friend of the Courts records prosecutes and allows no defense in this process.

Conclusion:

Because of a glaring deficiency in the "Felony Non-Support Law" I was arrested and prosecuted by the State of Michigan at the request of my former wife. This ended my professional career and made it impossible to establish further employment. In conclusion I support House Bill #4106 as a means to help others and myself who find themselves unable to clear their criminal record after receiving a felony along with a misdemeanor. Your vigorous support of this bill will insure that earnest, hard working, law-abiding citizens have rights and recourse when faced with similar situations. I ask that you please pass House bill #4106 and allow me to clear my record and reestablish my career. Thank you.

Sincerely

A handwritten signature in black ink, appearing to read 'Darnell', followed by a long horizontal line.

Darnell Lyndon Gardner Sr.